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Attorneys for USACM Liquidating Trust

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA**

In re:

USA Commercial Mortgage Company,

Debtor.

Case No. BK-S-06-10725-LBR

Chapter 11

**Notice of Hearing re Omnibus
Objection Of USACM Trust To Proofs
Of Claim Based On Pension Plan
Claims**

Hearing Date: October 18, 2011

Hearing Time: 1:30 p.m.

Estimated Time for Hearing: 10 minutes

**THE USACM LIQUIDATING TRUST IS OBJECTING TO A CLAIM THAT
YOU FILED. THE USACM TRUST SEEKS TO DISALLOW THE CLAIMS
LISTED ON EXHIBIT A ATTACHED TO THE OBJECTION TO PROOFS OF
CLAIM BASED ON PENSION PLAN CLAIMS (the "Objection") [DE 9091].**

**PLEASE DO NOT CONTACT THE CLERK OF THE BANKRUPTCY
COURT TO DISCUSS THE MERITS OF YOUR CLAIM. ADDRESS QUESTIONS
REGARDING THE CLAIM TO UNDERSIGNED COUNSEL, ROB CHARLES
(520-629-4427).**

NOTICE IS HEREBY GIVEN that the USACM Liquidating Trust, by and
through its counsel, has filed its Objection (with Certificate of Service). The first page of
the Proof of Claim as required by Nevada LR 3007, is attached to the Objection as

1 **Exhibit B.** The USACM Liquidating Trust has requested that this Court enter an order,
2 pursuant to section 502 of title 11 of the United States Code (the “Bankruptcy Code”) and
3 Rule 3007 of the Federal Rules of Bankruptcy Procedure (the “Bankruptcy Rules”),
4 disallowing the Proofs of Claim.

5 **NOTICE IS FURTHER GIVEN** that the hearing on the Objection will be held
6 before the Honorable Linda B. Riegle, U.S. Bankruptcy Court Judge in the Foley Federal
7 Building, 300 Las Vegas Blvd. South, 3rd Floor, Courtroom No. 1, Las Vegas, Nevada on
8 **October 18, 2011, at the hour of 1:30 p.m.**

9 **NOTICE IS FURTHER GIVEN THAT THE HEARING SET ON**
10 **OCTOBER 18, 2011, WILL BE HELD FOR THE PURPOSE OF STATUS**
11 **CHECKS AND SCHEDULING EVIDENTIARY HEARINGS ONLY. NO**
12 **ARGUMENTS WILL BE HEARD ON THAT DATE.**

13 **NOTICE IS FURTHER GIVEN** that pursuant to Local Rule 9014(d), any
14 response to the objection must be filed and service must be completed no later than
15 **fourteen (14) days** preceding the hearing date. The opposition must set forth all relevant
16 facts and any relevant legal authority.

17 If you object to the relief requested, you *must* file a **WRITTEN** response to this
18 pleading with the Court. You *must* also serve your written response on the person who
19 sent you this notice.

20 If you do not file a written response with the Court, or if you do not serve your
21 written response on the person who sent you this notice, then:

- 22 • The Court may *refuse to allow you to speak* at the scheduled hearing; and
- 23 • The Court may *rule against you* and sustain the objection without formally
24 calling the matter at the hearing.

1 DATED this 16th day of September, 2011.

2 LEWIS AND ROCA LLP

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4 By /s/ Robert M. Charles, Jr. (6593)

5 Rob Charles, NV 6593

6 John Hinderaker, AZ 18024 (*pro hac vice*)

7 Marvin Ruth, NV 10979

8 3993 Howard Hughes Parkway, Suite 600

9 Las Vegas, Nevada 89169

10 E-mail: rcharles@lrlaw.com

11 Attorneys for the USACM Liquidating Trust

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13 Copy of the foregoing mailed by first class
14 postage prepaid U.S. Mail on
15 September 16, 2011 to:

16 Parties listed on Exhibit A to the Objection.

17
18 LEWIS AND ROCA LLP

19 /s/ Renee L. Creswell

20 Renee L. Creswell